429 A person who is away for a long or indefinite period [217] delegates the direction of the family community for as long as necessary to a friend or relative. This substitute, however, is expected to act only in accordance with the customary counsel and the family of the absent person.

[586] In case of divorce, the children always remain with the father. A divorced woman again comes under the guardianship of her own community.

768 When the mother dies, the father retains the administration of her property which belongs jointly to her children. If, 429 however, one of her sons is married or of marriageable age and is competent, all such property is supposed to be handed over to him to administer in his capacity as fa of the uterine community.

When a father dies, his minor children are placed under the guardianship of the patriarch under whose authority the deceased was living. If he was independent, guardianship would be set up in accordance with his wishes which he would not have failed to make known.

In any event, if one of his sons is married or of marriageable age and sufficiently competent, he becomes fa of the familial community which gradually, as the younger sons grow up and establish families of their own, becomes a patriarchy such as we have described above.

● [641] According to native law, deprivation of civil rights does not exist. In fact, however, persons who by reason of ill-health or senility are unable to comply with custom in carrying out their functions are supplanted by such persons as are designated by custom to replace them at the time of death.

596 Faya. The faya is the authority and power of the fa 614 over all his dependents. It has the same character, differing only in extent, whether it concerns a familial or a patriarchal community.

Familial faya. Within the family, the fa theoretically has complete authority over everything that constitutes this community. It makes little difference whether he acts on his own initiative or whether he allows himself to be swayed by the